City of Madison

MINUTES – APPROVED

CCOC Subcommittee on Police & Community Relations

City of Madison
Madison, WI 53703
www.cityofmadison.com

Monday, November 21, 2016 **6:30 p.m.** **Meadowridge Library 5726 Raymond Road Community Room A.**

Meeting Video | Website | Handouts at Meetings | Meeting Minutes

Members Present: Ald. Shiva Bidar-Sielaff, Ald. Marsha Rummel, Ald. Denise DeMarb (arrived at 6:56 pm), Ald. Rebecca Kemble and Ald. Sheri Carter (arrived at 6:45 pm, left at 7:20 pm)

Staff Present: Capt James Wheeler, MPD Representative, Lisa Veldran, Council Administrative Assistant

Staff Absent: Heather Allen, Council Legislative Analyst

Others Present: Captain Kristen Roman, MPD

Call to Order
Chair, Ald. Marsha Rummel, called the meeting to order at 6:34 p.m.

Public Comment
There was no public comment.

Disclosures & Recusals
There were no disclosures or recusals from members of the subcommittee present.

Presentation & Discussion: Review United Way/MPD Task Force Report – Captain James Wheeler & Captain Kristen Roman, MPD

Capt. Kristen Roman provided an overview of the task force report. She noted that the task force looked at use of force, implicit bias training for police and took a look at diversity in hiring and retention of officers. They also looked at engaging and education the community and officer wellness programs. These recommendations were presented to the Dane County Chiefs of Police Association.

Ald. Marsha Rummel asked if the report had ever been introduced to any elected body (County, Council). Capt. Roman stated that it had not, that it was a grassroots initiative vs. being requested by a committee.

Ald. Rummel asked what MPD decided to focus on from the task force process. Capt. Roman stated that it was the use of force issue. She noted that the MPD has recently hired a Use of Force Coordinator (Sgt. Kimba Tieu) and will be responsible for reporting on use of force data, reviews all use of force incidents, imputing the data into the new software program. He will also be responsible for engaging with and gathering input from the community and providing information about MPD training. Also updating standard operating policies online: Foot Pursuit, De-Escalation Process, Vehicle Pursuit Back Up

Ald. Rebecca Kemble asked the name of the new software. Capt. Roman stated that it was IA Pro software. The software is primarily used for internal affairs investigations but has other components (personnel). There were many questions on the capabilities of the new software so it was suggested to invite Lt. Amy Chamberlain to a future meeting to present on the software.

The subcommittee reviewed pages 6-7 (Highlighted Recommendations). Ald. Shiva Bidar-Sielaff asked if use of force was defined across the board for law enforcement agencies; did the task force participants all

agree on when it was appropriate and when it was not. Capt. Roman noted that there is a State Use of Force training curriculum that all law enforcement agencies in the State of Wisconsin follow the Defense and Arrest Tactics manual. The city refers to this larger document.

Ald. Rummel asked how the city could raise the report's profile. Capt. Roman noted that press releases have been put out about the report and she was planning on providing an update on what's happened since the report was released. Policies were changed based on the Task Force Report, 21st Century Policing Report (annually updated), and community and employee suggestions. (Ald. Sheri Carter left at 7:20 pm)

Ald. Kemble asked how changes to Standard Operating Procedures (SOP's) could be better communicated to the public and to the alders.

Capt. Roman and Capt. Wheeler noted that SOP's can occur quickly and are then reported quickly to officers. The Chief and the Council would need to discuss this issue. Capt. Roman noted that the entire SOP's are revisited annually and are reissued at the beginning of the year. She also noted that possibly when internal SOP updates are done throughout the year and are emailed to the department they could be released to the alders at the same time (via email). Ald. Bidar-Sielaff stated that if they could be summarized that would be helpful. She also stated that this could be one of the subcommittee's recommendations.

Ald. Demarb asked how the SOP's are communicated to officers. Capt. Roman as an example, anklet socks protocol, discussed internally and from officers (appearance SOP modification) done by email, briefings and in-service forums. Capt. Wheeler noted that if it is a major change the Chief may do a video or blog but it is also the responsibility of the officer. Ald. Rummel was concerned with officers' capacity to absorb these changes. Capt. Roman said it may feel like a lot but that may be their perception because the management team sees them from various drafts and changes before they become final. Capt. Wheeler noted that they see more changes now because they went from their big policy binder to the SOP's.

Ald. Bidar-Sielaff asked the captains for their suggestion on how information from the Collaboration Team could be better communicated to the Council. Capt. Roman stated that the primary objectives of the group were achieved during the Tony Robinson protest. Now there are open lines of communication between the MPD and collaboration team members and they mobilize as needed. She gathers information from the various group meetings she attends and she is able to make better informed decisions that she makes.

Discussion: Meeting agendas upcoming meetings | future meeting topics

Ald. Bidar-Sielaff noted that OIR will be making their first visit to Madison and reaching out to stakeholders. She requested that members of the subcommittee try to attend the next MPD Policy & Procedure Review Ad Hoc Committee meeting on December 1, 2016. Lisa Veldran will reach out to staff of the ad hoc committee to ensure that a possible quorum of the subcommittee be noted at that meeting (and future meetings).

Thursday, December 1, 2016
Noon, Room 417, City-County Building
Scheduled: Subcommittee process & check-in meeting

Tuesday, December 13, 2016
6:00 pm
Goodman Community Center (Evjue Room)
Scheduled Presentation: State Rep. Chris Taylor

Adjournment
Ald. Shiva Bidar-Sielaff moved, seconded by Ald. Rebecca Kemble, to adjourn. Motion passed unanimously. Meeting adjourned at 7:48 p.m.

Special Community/Police Task Force
RECOMMENDATIONS
regarding police 'Use of Force'

Published: February 19, 2016

United Way
of Dane County

Dane County Chiefs of Police
Association

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Executive Summary

In the fall of 2014, during the aftermath of the officer-involved shooting that resulted in the death of an African American male in Ferguson, MO, The National Association for the Advancement of Colored People (NAACP) - Dane County Branch #36AB and United Way of Dane County were asked by local law enforcement leaders to facilitate a collaboration. The initial goal was to create and cultivate relationships between individuals within both groups of leaders (Appendix A). Naming themselves the 'Law Enforcement and Leaders of Color Collaboration', the group participated in monthly meetings throughout the winter of 2014.

Initial Collaboration meetings focused on analyzing reactions and responses of individuals and groups within Dane County, to additional occurrences of officer-involved shootings of African Americans across the United States. During their analysis of local residents' responses to these national incidents and after analyzing information collected during listening sessions with focus groups made up of individuals from communities of color, the full extent of the frustration in the communities of color was realized.

On March 6, 2015, Dane County experienced its own officer-involved shooting of an African American male. Recognizing that there were many in our community who wished to voice their concern, anger and frustration regarding these incidents, the Collaboration swiftly moved into action, and became instrumental in ensuring the safety of students and all who chose to protest, by staffing street protests as 'Wise Witnesses'. In this capacity, Collaboration members shared information regarding citizens' right to peacefully protest, as well as information regarding types and amounts of citations, should any City ordinances be violated.

During the debrief of local protests, when analyzing the relationship between law enforcement and individuals within communities of color, three areas were identified as barriers to strengthening relationships between the two groups: 'Use of Force', Implicit Bias, and Diversity within Police Departments. In an effort to ensure due diligence in its analysis of all three areas of concern, the Collaboration decided to focus its efforts on the analysis of one area at a time. To begin the process, the Collaboration created a Special Community/Police Task Force to explore and offer recommendations regarding the first area of concern: 'Use of Force.' The Task Force was led and facilitated by Associate Vice Chancellor/ Chief Susan Riseling (Co-Chair), University of Wisconsin-Madison Police and Reverend Everett Mitchell, Christ the Solid Rock Baptist Church (Co-Chair). Chief Riseling and Reverend Mitchell were supported by the President and CEO of the Urban League of Greater Madison, Ruben Anthony, Ph.D.

The Special Community/Police Task Force, the group charged with analyzing police 'Use of Force,' met fifteen times between May and December of 2015. During this time, the Task Force heard from law enforcement specialists, community leaders, and community members through special listening sessions hosted in and with communities of color. (Appendix B). The Special Community/Police Task Force developed its set of recommendations, which are included in this report.

Following the finalization of their recommendations in December 2015, the Task Force presented them to the Law Enforcement and Leaders of Color Collaboration and the Dane County Chiefs of Police Association for its review. These recommendations are now being made public, with a Call to Action for all law enforcement agencies within Dane County and all the governmental bodies to which they report to examine these recommendations and align around the issues, including those that have budget considerations, e.g. training and equipment.

Why this matters

In 2014 and 2015, there were several high profile police officer-involved fatal shootings in the United States. Citizens within some of these communities, including Madison, protested these incidents. Additionally, across the country people have questioned the District Attorneys' decisions not to file charges against the officers in these cases. Without coming together engaging in dialogue the tensions, misunderstandings and mistrust will only grow. Therefore debating, discussing, learning, collaborating and understanding the situation is the best way forward for enhancing the lives of everyone in Dane County.

Highlighted Recommendations

The complete list of recommendations can be found within the body of this report. This section of the Executive Summary **highlights a few key recommendations:**

Section 1 Change Key Policing Practices to Reduce Police Use of Force

A. Institutionalize major incident debriefings.

B. Create a system of data tracking and analysis.

C. Analyze the use of body cameras.

D. Explore/Adopt Restorative Justice practices.

E. Expand the coaching role of sergeants, to include deescalation.

F. Develop strategic partnerships to strengthen recruitment efforts.

G. Reward police GUARDIAN behavior.

Section 2 Police Academy Training

A. Revise police academy training curriculum.

B. Train officers to become as competent in deescalation as they are in weapons use.

C. Develop a policy and training on foot pursuits.

D. Train and emphasize the use of professional communications at all times.

E. Infuse Implicit Bias training throughout all aspects of officer training and continue throughout the career of all officers.

F. We call on the Governor to ensure that the State of Wisconsin's Law Enforcement Standards Board (LESB) is comprised of racially and ethnically diverse professionals and citizens to ensure that diverse perspectives are considered when establishing law enforcement standards and police academy training.

G. Government entities responsible for funding law enforcement agencies in Dane County should provide agencies with additional funding to improve the quality and frequency of officer training.

Section 3: Engage and educate the community

A. Create greater public awareness and educate the community on safe interactions for all.

B. Consistently engage the broader community beyond the role of a Police and Fire Commission.

C. Develop genuine relationships with community leaders.

Section 4: Ensure officer well-being

A. Develop employee wellness programs focused on mental health, physical health and nutrition.

B. Use trauma-informed practices to identify and treat potential secondary trauma experienced by field officers.

A Call to Action and next steps for leadership in each police department in Dane County

1. Share this report with your community's elected officials and solicit their feedback.
2. In partnership with leaders within your community, determine which recommendations you will implement in your community and create corresponding budget and implementation plans. Engage your elected officials, requesting their approval and support of your budget and implementation plan.
3. Continue to nurture a system of community engagement, creating mutually consultative relationships with diverse leaders in your community. Develop a systemic way to involve, consult and learn from and with these leaders.

A Call to Action and next steps for leadership in all segments of the community

1. Share this report with your community group and solicit their feedback.
2. In partnership with other community leaders, develop information and education sessions for the public on how to remain safe during encounters with the police.
3. Continue to participate in and when possible collaborate with having non-crisis, positive interactions with the police, especially with young people.

Members of the Law Enforcement and Leaders of Color Collaboration, as well as members of the Special Community/Police Task Force have agreed to make themselves available to discuss and explain the recommendations to law enforcement officers, representatives of municipal leadership, as well as residents throughout Dane County.

Guiding Philosophy

Communities and law enforcement leaders throughout Dane County want to emphasize the GUARDIAN[1] approach to providing public safety services. Over the past fifteen years, with the continuing 'war on drugs' and the creation of the 'war of terror', rhetoric and training have led some police to adopt a Warrior mentality[2]. Policing and military operations are not made up of the same actions, strategies or tactics. All must understand there are times when surviving violent encounters on the street require a Warrior's ethos. However, most of the circumstances in our communities call for the Guardian approach to policing.

Much of police training emphasizes control, making order out of chaos and quick conflict resolution. Efficiency, speed, dominance, stabilization and control are key components of the culture. Some elements of this culture must change so that more officers understand that few situations must be resolved immediately. The emphasis should shift to a more discerning assessment of the situation, slowing things down, using more dialogue and negotiating. Some of the key recommendations of the PERF[3] "Re-Engineering Training on the Police Use of Force" should serve as a guiding document.

1 Plato referred to Guardians as those who are given the greatest amount of power. Only those with the most impeccable character are chosen for the role. The concept of protector of people and the democracy itself is embedded in this concept. The Guardian mindset believes the officer can be tactically safe without approaching every citizen as a potential enemy combatant.

2 Warrior mentality is ensuring the mental mettle to never give up, to fight on, and prevail against all odds. This narrow definition however has been expanded by some in law enforcement to be used in every citizen encounter where citizens are viewed as people to be feared and as one's enemy.

3 Police Executive Research Forum (PERF) is a membership based and driven organization based in Washington D.C. Its mission is to research and study policing in North America and Europe to establish promising practices and enhance the professionalism and the profession of policing.

Introduction

In the fall of 2014, University of Wisconsin-Madison Police Chief Sue Riseling, Madison Police Chief Mike Koval and Dane County Sheriff David Mahoney approached United Way of Dane County (UWDC) President and Chief Executive Officer Leslie Ann Howard, with a request that UWDC identify a small group of leaders within Dane County's communities of color, and leaders from law enforcement departments across Dane County, for a discussion regarding the status of relationships between the two groups. To assist in the facilitation and co-leadership of these discussions, UWDC invited the National Association for the Advancement of Colored People (NAACP) of Dane County Branch #36AB. In an effort to ensure equal representation of leaders from both communities of color and law enforcement, an invitation was also extended to the Dane County Chiefs of Police Association (DCCOPA), which agreed to participate in representing the voice of law enforcement departments throughout Dane County. The following list identifies all members of the group, which adopted the name Law Enforcement and Leaders pf Color Collaboration (LELCC):

Law Enforcement and Leaders of Color Collaboration

Greg Jones | NAACP #36AB, President | **LELCC, Co-Chair**
Leslie Ann Howard | United Way of Dane County, President and Chief Executive Officer | **LELCC, Co-Chair**
Ruben Anthony, Ph.D. | Urban League of Greater Madison, President and Chief Executive Officer
Jennifer Cheatham | Madison Metropolitan School District, Superintendent
Alex Gee | Nehemiah Center for Urban Leadership, President and Chief Executive Officer
Peng Her | Center for Resilient Cities, Assistant Director
Jeff Hook | Dane County Sheriff's Office, Chief Deputy
Michael Johnson | Boys and Girls Clubs of Dane County, President and Chief Executive Officer
Mike Koval | City of Madison Police Department, Chief
Dave Mahoney | Dane County Sheriff's Office, Sheriff
Karen Menéndez Coller | Centro Hispano of Dane County, Executive Director
Everett Mitchell | Christ the Solid Rock Baptist Church, Pastor | UW-Madison, Director of Community Relations
Renee Moe | United Way of Dane County, President and Chief Executive Officer
Joe Parisi | Dane County, Executive
Harold Rayford | African American Council of Churches, President
Gloria Reyes | City of Madison, Deputy Mayor
Sue Riseling | UW-Madison Police Department, Chief
Kristen Roman | City of Madison Police Department, Captain
Floyd Rose | 100 Black Men of Madison, Inc., President
Craig Sherven| City of McFarland, Chief
Paul Soglin | City of Madison, Mayor
Charles A. Tubbs, Sr. | Dane County Emergency Management, Director
Luis Yudice | Madison Metropolitan School District, Coordinator of School Safety and Security
Deedra Atkinson | United Way of Dane County, Executive Vice President of Community Impact & Strategy | **Staff**
Keetra Burnette | United Way of Dane County, Senior Director of Community Impact | **Staff**

Special Community/Police Task Force

Sue Riseling | UW-Madison Police Department, Chief | **Co-Chair**
Everett Mitchell |Christ the Solid Rock Baptist Church, Pastor | **Co-Chair**
Ruben Anthony, Ph.D. | Urban League of Greater Madison, President & CEO |**Co-Chair**
Chuck Foulke | City of Middleton Police Department, Chief
Tamara Grigsby | Dane County, Community Relations Director
Amelia Royko Maurer | Community Activist
Dave Mahoney | Dane County Sheriff's Office, Sheriff
Harold Rayford | African American Council of Churches, President
Gloria Reyes | City of Madison, Deputy Mayor
Kristen Roman | City of Madison Police Department, Captain
Theresa Sanders | Black Leadership Council
Luis Yudice | Madison Metropolitan School District, Coordinator of School Safety and Security
Jay Young | United Way of Dane County | Volunteer Center / United Way 2-1-1 Coordinator | **Staff**

Why this matters

- When a life is ended where an officer is involved, it warrants extra public scrutiny.
- Communities across the U.S. have experienced officer-involved shootings that have resulted in the loss of life.
- Many communities, including Madison, have publicly protested these actions and, in some cases, other communities have reacted violently.
- Wisconsin has the highest incarceration rate for black men in the country.
- Advances in technology have created the ability for citizens to easily record and publicly share video footage of incidents leading up to officer-involved shootings. This newfound access to amateur video footage of police encounters, especially encounters with individuals of color, has led to an increased desire to understand law enforcement policies and practices. Residents across the United States wish to use their "evidence" to influence and better monitor standards of practice for local policing.
- Dane County Elected Boards, City Councils, Mayors and Village Administrators, Police Commissions and Public Safety Committees lack racial and ethnic diversity. Therefore, not all residents feel that their voices and perspectives are represented by their elected leaders.
- Police actions, issues, initiatives and strategies are often influenced and sometimes directed by federal and state legislation. Often federal or state grants are specifically targeted to direct police action. Recommendations regarding the allocation of federal and state funds are often contrary to the desires of smaller sections of the community due to the disparate impact on certain groups.
- With heightened sensitivity, our community is creating a Call to Action to improve the understanding of policies and practices regarding 'Use of Force,' in an effort to ensure safety and prevent fatal officer-involved shootings.

Following the finalization of their recommendations in December 2015, the Task Force presented them to the Law Enforcement and Leaders of Color Collaboration and the Dane County Chiefs of Police Association for their review. These recommendations are now being made public, with a Call to Action for all law enforcement agencies within Dane County and all the governmental bodies to which they report to examine these recommendations and align around the issues, including those that have budget considerations, e.g. training and equipment.

The NAACP and United Way of Dane County's Law Enforcement and Leaders of Color Collaboration has responded to this Call to Action by building a bridge between leaders of law enforcement entities and leaders from communities of color to conduct analyses and offer recommendations in response to policies and practices regarding police 'Use of Force.' In addition, the Collaboration's Special Community/Police Task Force recognizes there is a need to educate the general public, so they too are aware and informed of ways to better interact and engage with law enforcement officers. The Collaboration is certain that the building and strengthening of this bridge between the two groups is the only way to enhance and ensure safety for all.

The Special Community/Police Task Force, the group charged with analyzing police 'Use of Force,' met fifteen times between May and December of 2015. During this time, the Task Force heard from law enforcement specialists, community leaders, and community members, through special listening sessions hosted in and with communities of color. (Appendix B). After careful and thorough discussion of the policies associated with 'Use of Force,' the reviewing of training curriculum and being mindful of the public's lack of understanding in some circumstances, the Special Community/Police Task Force offers the following recommendations to all law enforcement agencies in Dane County, as well as all governmental bodies to whom they report.

Recommendations

Section 1: Change Key Policing Practices to Reduce Police Use of Force

A. Institutionalize major incident debriefings

Create the necessary policies to support institutionalizing in-house debriefings or shift debriefings after all major or critical incidents that result in the serious injury of a police officer or citizen, to determine how incidents can be better handled and how to make encounters safer for officers and the public. By making these debriefings a routine part of a critical incident, this will minimize the fear of critiquing incidents. These debriefings are not intended to blame, rather the briefings should examine tactics and the actual 'Use of Force,' in an effort for those involved to learn and improve.

B. Create a system of data tracking and analysis

Some agencies in Dane County track and analyze data related to 'Use of Force.' Those that collect this information can identify trends from year to year, identify areas for improvement and areas in which enhanced training or policy adaptations are needed. However, without a baseline, it is not possible to fully understand the extent of trends regarding 'Use of Force,' or the extent of residents' complaints. In order to have an informed discussion and to measure progress, this information must be collected and shared.

1. Officer Compliments and Complaints

    a. Every Dane County law enforcement agency should track officer compliments and complaints.

    b. Every agency should release summary statistics involving officer compliments and complaints, making them easily accessible to the public via the agency's website.

2. Use of Force

    a. Every Dane County law enforcement agency should track 'Use of Force.'

        i. Every Dane County law enforcement agency should have a policy to review all uses of force above compliant handcuffing. This policy should require reporting to ensure accountability and transparency.

        Every agency should release statistics involving incidents of 'Use of Force' making them easily accessible to the public via the agency's website (Appendix D).

        Develop clear policy that an officer, involved in a critical incident resulting in great bodily harm[4] or death to a member of the public, shall not be allowed to patrol until all internal reviews, investigations and the District Attorney's analysis and decisions regarding the incident are complete.

4 As defined in Wisconsin State Statutes, "Great bodily harm" means bodily injury which creates a substantial risk of death, or which causes serious permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ or other erious bodily injury.

C. Cameras

Technology has proven to be very effective in documenting police and citizen interactions. In particular over the last year and a half, there have been dozens of examples across the country where video footage of confrontations between law enforcement officers and the public have commanded our attention. Many of the video images are from cameras mounted on police squad cars, security cameras mounted on stores or other public venues and, most commonly, from recording on personal cell phones of individuals witnessing the confrontations. Although not perfect, these images have enabled people who were not present to view video footage, from the perspective of the camera. While the officer's or citizen's perspectives may differ from the camera's, and the human peripheral vision is broader than the lens of the camera, many argue that the recent advances in technology that have led to the ability to capture video footage of incidents such as these, have led to a growing mistrust of the police. In particular, mistrust of the police in regard to 'Use of Force,' as well as police accuracy in reporting of what actually occurred.

Fixed cameras in the public areas of a city and cameras within squad cars are widely accepted in the police profession and with the general public. However, when it comes to whether or not police should wear cameras on their bodies to record more of their daily activities, the public is divided. Many cite (Appendix G) the potential invasion of privacy, as not all police encounters occur in public areas. Hospitals and other medical facilities must consider potential conflicts between body cameras recording police interactions within medical settings and confidentiality requirements such as HIPPA. The visual recording of victims of crime, especially victims of sensitive crimes, has caused many to question the use of body cameras. This example and many others have further complicated the discussion regarding issues of privacy related to images captured as a result of body cameras worn by police officers.

Another component of this complex issue is the current open records law which would grant access to the video footage captured by body cameras worn by police officers to anyone, as the law currently does with other government controlled records. It is alarming to some members of the public that the worst day of their lives, a day when the police are summoned, could be recorded and shared publicly to be watched repeatedly by complete strangers as well as their family and friends. These are just a few of the scenarios that must be considered when discussing the challenges that accompany the topic of body cameras worn by police officers. **Taking all of the complexities into account, the Special Community/Police Task Force recommends that all Dane County law enforcement agencies to implement this technology and to develop policies, procedures and practices – with the input of citizens – to address the challenges associated with the implementation of this critical technology with those who are directly impacted.**

1. Squad Car/Dashboard Cams, Body Worn Cameras and Audio Recording Devices

   a. Dane County law enforcement agencies should outfit patrol cars with dashboard/squad car cameras.

   b. Dane County law enforcement agencies should explore outfitting patrol officers with body worn cameras, in communities where they are desired, with community-supported policies to govern use.

   c. Dane County law enforcement agencies with dashboard/squad car cameras and body worn cameras should conduct random reviews of footage to evaluate officer performance.

2. Policy

   a. Police and Community Leaders should advocate for the legislature to update open records laws to protect the privacy of citizen/police interactions captured in private spaces by body cameras worn by police.

   b. Create clear community-supported policies governing the use, activation and de-activation of dashboard/squad & body worn cameras and/or audio devices. The policy should include when recording is mandated, prohibited, retention periods and criteria to determine when video footage may be released to the public.

   c. Affirm the standing practice that Dane County agencies do not proactively capture facial images for the purposes of enforcing federal immigration laws.

D. Restorative Justice[5]

Steps must be taken to re-establish trust in the criminal justice system, especially within communities of color that have lost faith in the traditional forms of justice. This distrust causes friction, anger and frustration. This tension is sometimes manifested by residents who, when frustrated with the system, resist and even rebel against police during street encounters.

Restorative justice reduces the dependence on arrests. Arrests involve physically taking people into custody which can increase the likelihood of police needing to use force. Reducing arrests can be linked with a reduced need to use force.

Some measures police chiefs could undertake

1. Provide officers with the tools needed to encourage restorative justice practices. Tools include: options and support for officers to use discretion in lieu of arrests and citations; examine Madison's community court and relationship with Time Bank (Appendix E).

2. Ongoing restorative justice circles with the community that occur on a regular basis to maintain empathy, understanding and trust as well as in response to events that may have caused harm and/or depleted trust between law enforcement and communities of color.

Restorative justice is an important approach to reducing arrests and convictions. It is directly related to both implicit bias as well as 'Use of Force.' The Law Enforcement and Leaders of Color Collaboration have identified restorative justice as one of the components to be assessed during their analysis of implicit bias.

5 Restorative justice is an approach to justice that focuses on the needs of the victims and the offenders, as well as the involved community, instead of satisfying abstract legal principles or punishing the offender.

E. Expand the coaching role of sergeants and mid-level managers

First line supervisors play a critical role and can have great influence on how officers do their jobs. In order to be most effective the first line supervisor must be deployed in the field with the officers s/he supervises. Supervisors are a force for good when modeling positive behaviors, providing counseling and supervision, as well as for holding officers accountable for their behavior. They can also be a negative force when they overlook or reinforce inappropriate behaviors and practices. The role of the sergeants should be examined and evaluated for opportunities to strengthen their role.

1. Provide additional and enhanced training for first line supervisors (sergeants) and reinforce their responsibility of monitoring street practices and for modeling professional behaviors.
2. Chiefs should ensure that the Chief's and department's values are put into actual practice on the street by patrol sergeants and officers.
3. All levels of the organization should adopt and model their department's core values and hold others accountable for exercising and practicing their core values.
4. The Dane County Chiefs of Police Association should consider developing a frontline supervisor course for all departments throughout the county, to reinforce the critical role and responsibilities of those serving in this capacity.

F. Develop Strategic Partnerships to strengthen recruitment efforts

The issue of diversity of police departments is an important one and is connected to the 'Use of Force' by the police and the credibility of the police within the community. It is such an important topic that the Collaboration has identified it as one of the three topics needing further analysis by a separate task force. The Special Community/Police Task Force therefore will make only one statement about increasing diversity with the understanding that another task force will be commissioned to examine the issues and provide a robust set of recommendations.

The Special Community/Police Task Force believes all Departments in Dane County should work harder to increase their diversity and to that end, develop robust recruiting, hiring and retention strategies. To aid in their efforts, the Task Force advises that law enforcement agencies connect with organizations representing communities of color in an effort to increase their ability to identify diverse candidates with the skill and interest in serving in positions within law enforcement agencies across Dane County. Examples of these organizations include, but are not limited to: Urban League of Greater Madison, NAACP, African American Council of Churches, United Way of Dane County, Centro Hispano, Freedom, Inc., Boys and Girls Clubs of Dane County, etc.

G. Continue to reward Police GUARDIAN behavior

Most police awards or letters of commendation are in recognition of heroism, going above and beyond the call of duty. These are awards that are earned and often highlight the best of what the profession brings to our community: selfless service, bravery, risk taking, rising above fear and summoning courage. In addition to these notable and worthy actions of policing, the rewards and award systems should focus on re-enforcing the other, less dramatic GUARDIAN actions taken by police. These everyday GUARDIAN actions occur often with more frequency than the dramatic moment of heroism.

Section 2 Police Academy Training

Police authority has two major components: legal authority and moral authority. In a democracy, both are vital. Without both, especially moral authority, the police become very ineffective and are subjected to growing doubt, increased resistance and, in some cases, outright rebellion from the very residents they are sworn to protect. While the police maintain legal authority, based on the written and codified law until the legislature acts to change law, the public grants and can withdraw moral authority as it chooses to do so. Moral authority is the authority premised on principles or fundamental truths which are independent of written laws. As such, moral authority necessitates the existence of and adherence to truth (Appendix F). Both legal and moral authority should be components within law enforcement decision-making.

It is critical that police undergo rigorous legal and tactical training and it is equally important that police undergo continuous ethics training and skill building with emphasis on bias-free policing and training to understand and combat unconscious (implicit) bias. Police are and should be held to a higher ethical standard than the public, in the pursuit of justice and in the maintenance and strengthening of the community's support.

The Special Community/Police Task Force again calls attention to the Law Enforcement and Leaders of Color Collaboration identifying Implicit Bias as the second area of concern, necessitating the creation of a different task force to conduct its analysis.

A. Revise curriculum in academy training and continue training on key elements throughout an officer's career

The Special Community/Police Task Force recognizes and understands that police academy curriculum is standardized by the State of Wisconsin's Law Enforcement Standards Board (LESB). This Board is appointed by the Governor and is responsible for setting minimum hiring standards, academy standards and quantifying the number of training hours those active law enforcement professionals must complete each year. The current minimum is 24-hours. With few exceptions, individual departments are responsible for determining the type of training to be conducted.

1. Dane County agencies should train on the GUARDIAN form of policing.
2. Dane County agencies should train officers to become equally competent in deescalation and empty hand techniques, as they are in weapons use. Deescalation training and repetitions should be similar to the continual firearm training in that there should be ongoing training and repetitions that are graded and evaluated. Ensure weapons transition training is a key element of the course. The course may be based on scenario deescalation techniques.
3. Train and emphasize professional police communications protocols at all times. Expectations should be that officers will speak to and treat all members of the public with respect and dignity.
4. Continue to train regarding when and how to use force, up to and including deadly force. This training should include less than lethal and less lethal force, how to render aid to those wounded, including the suspect, and dealing with the aftermath of a deadly force encounter in a humane and professional manner.

5. Train Chief Executives to deal with the aftermath of an officer-involved shooting. This training should include best practices on working with Community Leaders, as well as policies on the release of information in officer-involved shooting cases.

6. Regular training on implicit bias. This type of training should be infused throughout all aspects of officer training. Whenever possible, this training should involve individuals from the community.

7. Include best practices in working with multicultural communities and developing and maintaining cultural competencies during in-service training.

8. We call on the Governor to ensure that the State of Wisconsin's Law Enforcement Standards Board (LESB) be comprised of racially and ethnically diverse professionals and citizens to ensure differing perspectives are considered when establishing law enforcement standards and academy training.

9. Government entities responsible for funding law enforcement agencies in Dane County should provide agencies with additional funding to train officers more frequently on the following: 'Use of Force,' deescalation, critical thinking, professional police communications, implicit bias, ethics, cultural competency and mental and behavioral illnesses. Currently the state requires 24-hours per year of on-going training. An increase to 40 hours is recommended for agencies in Dane County.

10. Officers need a holistic framework of realistic, scenario-based training on all levels of 'Use of Force.' Training should start in the academy and continue throughout the officer's career. The training should include skills on critical thinking, recognizing and dealing with stress, professional police communications, selecting best options, disengaging and waiting for back up, etc.

11. Allow officers to use Electronic Control Devices (i.e., Tasers) when no immediate back up is present. Remove the requirement of lethal cover for ECD use (Taser).

12. For those agencies who train on the 21-foot rule for a person armed with an edged weapon, ensure the training incorporates strategies that emphasize the option of disengagement when appropriate: slowing things down if possible, maintaining at least 21 feet distance whenever possible, placing obstacles between the officer and the assailant. Verbal engagement from a safe distance should be emphasized. In essence – we wish to create time and distance as the primary objective when the situation allows. Be absolutely clear that if an officer is within 21 feet of a suspect with an edged weapon that 21 foot proximity does not in and of itself convey the justification to use deadly force.

13. Develop policy and training on foot pursuits. Foot pursuits, like car pursuits, are dangerous to the officers and members of the public. Few departments have specific policies and training on foot pursuits.

14. Briefing training on a variety of subjects including cultural awareness, proper way to approach and greet, community feelings and concerns about the police (listening sessions). The African American Council of Churches (AACC) has offered to facilitate sessions.

15. All Dane County law enforcement agencies should develop staffing policies and response protocols regarding the most appropriate ways to respond to emotionally disturbed persons and those struggling with mental illness.

16. Dane County law enforcement agencies should provide Crisis Intervention Training (CIT) to some select officers and to utilize those officers and practices when dealing with people experiencing a crisis or those who are faced with mental or behavioral health challenges.

17. Dane County agencies should train officers and detectives in the use of trauma-informed interviewing skills.

18. Dispatcher training should be enhanced to include the collection of additional information to improve officer preparedness, prior to their arrival on the scene of particular types of crisis (mental illness, drugs, alcohol, etc.). Components of this training should include Crisis Intervention Partner (CIP), implicit bias and cultural competency.

19. Explore Scotland's deescalation methods and national decision-making model for police. (Appendix C)

Section 3 Engage and Educate the Community

A. Create greater public awareness and educate the community on safe interactions for all

The Task Force had many discussions regarding how the public is often unaware of how their unintended behavior can increase stress and tension during an interaction with the police, and how their actions warrant an increase response by police.

Example #1: Raising one's voice, while clenching one's fists, while also refusing to follow a directive from the police.

Example #2: (On a car stop) Reaching into a glove compartment to retrieve a wallet or proof of registration before the officer has reached the window and requested those items. This may lead the officer to believe the individual is reaching for a weapon or attempting to hide contraband.

Example #3: Refusing to follow an officer's command to show hands or refusing to drop whatever is in one's hand can escalate the officer's response.

1. The AACC, Urban League, NAACP, Centro Hispano, Freedom Ink and others, in partnership with DCCOPA should develop training to educate the public on how to stay safe during police encounters.

    a. Community groups should educate the public about the 'Use of Force Continuum' and how different actions may prompt an escalation in the law enforcement officer's 'Use of Force.'

    b. Community groups should conduct training for citizens, especially young adults about how to have a safe interaction with law enforcement (i.e., Ten Steps, Know Your Rights, etc.).

2. All Dane County law enforcement agencies to put 'Use of Force' policies and other pertinent information regarding stops, arrests and reported crimes on their websites to make available to the public.

B. Consistently engage the broader community beyond the role of a Police and Fire Commission

Throughout Dane County citizens want greater transparency from law enforcement agencies. Additionally, there is a desire for genuine engagement of the community. Also desired is the opportunity for citizens to understand their rights and the expectations of law enforcement officers in various situations. This is also seen as instrumental to the success of relationship building.

1. Police and Fire Commission

    a. Currently, police commissions have no obligation to actively listen to or seek out the public's opinion on issues involving the police department. In communities where police commissions exist, the commissioners must make a greater effort to receive feedback regarding how their communities are policed. This information must be collected directly from the public, at various times throughout the year.

    b. Police and Fire Commissions (PFC) and law enforcement officials should involve members of the community in hiring and promotion panels. This is especially important when an officer is assigned to a particular neighborhood or school. Voices representing the diversity of the particular neighborhood should be actively sought.

    c. PFC should develop an easily accessible system to report compliments, complaints and police 'Use of Force.'

    d. Ensure the police and fire commission is comprised of a diverse array of citizens that include racial and economic diversity that represents the collective community.

    e. Educate the public on how complaints and compliments can be filed against or about the police.

2. Develop relationships with community leaders

    a. Seek, develop and cultivate genuine relationships with neighborhood community members. Ensure that relationships are based on a culture of openness and trust; don't wait until a crisis occurs.

    b. Develop an ongoing community interface through which police can solicit community assistance and collaboration on ideas and programs to foster better communication, transparency and relations with the community.

    c. Include relationship building conversations during training: for example, invite young African-American men and people of color to address the trainees as well as current police staff. This training should be held within community centers and can cover a variety of subjects including cultural awareness, proper way to approach and greet, community feelings and concerns about the police.

    d. Collaborate with residents to develop best practices regarding community policing. Be certain to include lessons learned from situations that did not go well across the country.

    e. Openly discuss the effects of poverty, unemployment, single-parent homes, lack of afterschool activities and how these challenges affect the relationship between law enforcement and residents.

Section 4 Ensure officer well-being

Due to the nature of their work and their around the clock schedules, officers are at risk for finding unhealthy ways of dealing with stress and frustration. Some officers will self-medicate and/or become distant from family and friends. Others will discontinue activities they once enjoyed. In some cases officers may develop Post Traumatic Stress Disorder (PTSD) or serious depression. Suicide in law enforcement is not uncommon. Law enforcement and labor leaders have an obligation to encourage and support a healthy workforce. Leadership must reassure and assist officers in need of help. And, officers must be encouraged to ask for and receive help, without risking trust or advancement opportunities for taking that most courageous step.

A. Encourage officers to have regular mental and physical wellness assessments and check-ups

1. Develop employee wellness programs, focusing on mental health, physical health and nutrition.
2. Use trauma-informed practices for secondary trauma to field officers.
3. Support restorative, scientifically-supported work schedules and practices for law enforcement employees to allow for decompression and account for everyday trauma.

Conclusion

While analyzing the tension between law enforcement and individuals within communities of color, three areas were identified as barriers to strengthening relationships between the two groups: Use of Force, Implicit Bias, and Diversity within Police Departments.

In an effort to ensure due diligence in its analysis of all three areas of concern, the Collaboration decided to focus its efforts on the analysis of one area at a time. To begin the process, the Collaboration created a Special Community/Police Task Force to explore and offer recommendations regarding the first area of concern: 'Use of Force.'

Over a series of 15 meetings, the Special Community/Police Task Force met and in good faith developed recommendations regarding police Use of Force that, if adopted, will enhance the relationship between the police and communities, especially communities of color. Additionally, when adopted, these recommendations will assist in keeping police officers and members of the public safer, enhancing the quality of life for everyone within Dane County.

Appendix A: Charge to the Committee

Special Community/Police Task Force

Sponsor Law Enforcement and Leaders of Color Collaborations

Background Leaders from Communities of Color and Law Enforcement Leaders began meeting in October of 2014 to discuss community issues and the community's relationship with law enforcement, as everyone reacted to the officer-involved shooting in Ferguson. Following the officer involved shooting of Tony Robinson on March 6, 2015 meetings increased with a renewed sense of urgency and gravity. Conversations expanded to address the root issues contributing to racial disparities in the justice system in our own community. This subcommittee is a working group derived from the larger group to look at police 'Use of Force' within law enforcement agencies in Dane County.

Purpose/Goal To review 'Use of Force,' within law enforcement agencies in Dane County and establish community informed standards for law enforcement agencies.

Timeline May 2015 to January 2016

Objectives 'Use of Force'

- To review state statutes and guidelines
- To review current training
- To review current policy and procedures
- To establish recommendations to present to Law Enforcement throughout Dane County

Composition Co Chairs: Everett Mitchell, Pastor, Christ the Solid Rock Baptist Church
Susan Riseling, Police Chief, University of Wisconsin Madison
Dr. Ruben Anthony, President/CEO, Urban League of Greater Madison

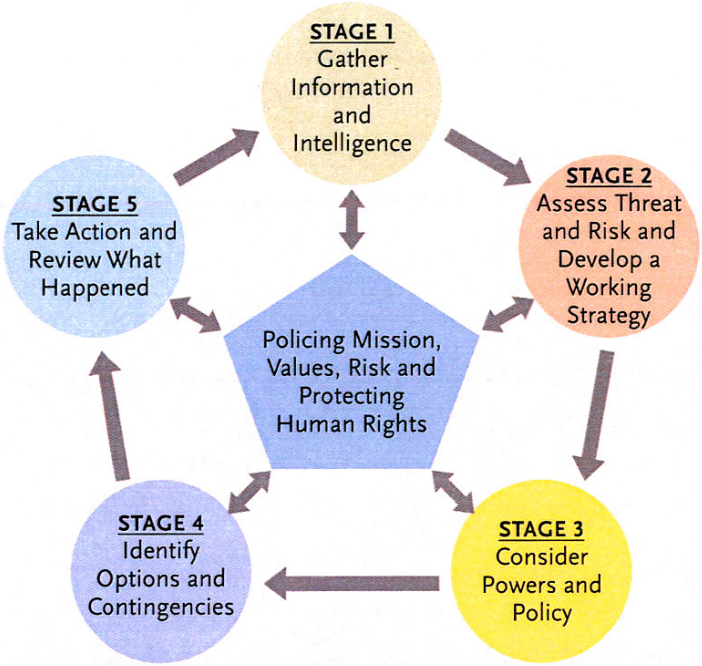
Members: Gloria Reyes, Assistant to the Mayor, City of Madison
Chuck Foulke, Middleton Police Chief, Dane County Chiefs of Police Association
Bishop Rayford, President, African American Council of Churches
David Mahoney, Sheriff, Dane County
Kristen Roman, Captain, Madison Police Department
Theresa Sanders, Black Leadership Council
Tamara Grigsby, Dane County
Amelia Royko Mauer, community activist
Luis Yudice, Madison Metropolitan School District
Jay Young, United Way

Demographics 6 members female, 7 male
6 African-American
2 Hispanic American
5 European American

Appendix B: 2015 Meeting Dates and Topics

Dates of Meetings	Time of Meetings	Primary Topics and Guests Covered in Meetings
May 15	8am-9:30am	Introductions, Charter, Explanation of Force continuum. Explanation of Intervention Options Experts: UWPD, MPD
May 22	8am-9:30am	Ground Rules for Meetings, Discussion of last meetings presentations. Assignment of homework – reading materials.
June 5	1pm-3:30pm	Police Legal Authority to Use Force Graham v. Connor Tennessee v Gardner, etc
July 10	1pm-3:30pm	Wisconsin DOJ Training and Standards – Academy Training and State Use of Force Standards Rehberg and Lenz
July 24	1pm-4pm	Non-lethal, less lethal policy, training and equipment – Dane county Sheriff Office Instructors
August 7	1pm-3pm	Discussion on community engagement, developing relationships, possible recommendations
August 21	1pm-3:30pm	Union Representatives Presentation – WPPA Palmer and MPPA Frei
September 4	1pm-3pm	Holding Community Listening Sessions Discussion. Review of the Charter, lessons learned so far
September 18	1pm-3pm	Planning questions and format for public listening sessions.
October 1	6pm-7:30pm	Listening Session Voices Beyond Bars at Urban League
October 2	1pm-3:30pm	Review listening session, plan next session, lessons learned, begin outlining final report categories
October 23	1-pm-3:30pm	Next listening session prep, outline final report categories and review some of the content
October 27	Noon-2pm	Listening session at Centro Hispano with community members
October 30	Noon-4pm	Draft, discussion and debate about recommendations
December 11	1pm-4:15pm	Review Version 7 of recommendations for final report

Appendix C: National Decision Making Model



All stages of the decision making process need to reflect:

- The Statement of Common Purpose and Values
- The Role of the Constable
- Policing ethics, standards and mission
- The 10 ACPO Risk Principles
- The Police (Conduct) Regulations 2008
- Legal Obligations (including the ECHR)

Ask yourself:
WHAT SHOULD THE PUBLIC EXPECT FROM ME?

STAGE DETAILS

STAGE 1: Identify Situation and Gather Information (and Intelligence if appropriate)

Ask yourself:

- What is happening? (or What has happened?)
- What do I know so far?

STAGE 2: Assess Threats and Risks of the Situation

Ask yourself:

- Do I need to take action immediately?
- What do I know so far?
- Do I need to seek more information?
- What could go wrong?
- How probable is the risk of harm?
- How serious would it be?
- Is this a situation for the police alone to deal with?
- Am I trained to deal with this?

Determine a **working strategy** to mitigate threats and risks and maximise opportunities and benefits

STAGE 3: Consider Powers, Policies and Other Obligations

Ask yourself:

- What legal powers do I have or need to make this decision?
- Is there a formal force policy to follow in this instance or can I use my discretion?
- What other obligations might be applicable (eg multi-agency protocols)

STAGE 4: Identify Options and Consider Possible Contingencies

Ask yourself:

- What options are open to me?
- What am I trying to achieve?

Identify suitable responses, taking into consideration:

- The immediacy of any threat
- Limits of information to hand
- Amount of time available
- Available resources and support

Use PLANE to evaluate potential options, ie, is each one: PROPORTIONATE, LAWFUL, AUTHORISED, NECESSARY, ETHICAL?

What contingencies should I consider (what will I do if certain things happen?

STAGE 5: Take Action (and Review what happened)

RESPOND:

- Select and implement the option that appears to have the greatest likelihood of success against the least harm
- Ensure those who need to know the decision (including the public) understand what you have decided and why

RECORD:

- If appropriate, record the selected response and the reasoning behind it

Monitor and Review Decision

Ask yourself:

- What happened as a result of my decision?
- Did it achieve the desired outcome?
- Is there anything more I need to consider?
- What lessons can be taken from how things turned out?

IF THE INCIDENT IS **NOT** OVER: Go through the model again as required

IF THE INCIDENT **IS** OVER: Review your decision(s), using the same 5-stage model as required

How the National Decision Model Works

PERF asked Police Constable Daniel Shaw, a specialist in the Operational Training Unit of the Greater Manchester Police, to provide an example of how constables in Greater Manchester are trained to use the National Decision Model (NDM) in responding to a call about a man with a knife on the street:

In the initial phase of the incident, whilst officers are en route, I would expect them to be gathering as much intelligence as they can. **(Information, Intelligence)** This could be gleaned from police systems, colleagues, etc. This could be done via the officer's radio. The info and intel that I would expect the officers to be asking for would include:

- Is there a history of previous calls at the address/location?
- Who do we know is there? What do we know about these individuals?
- What is the physical environment we are going to? What is the building type? What is the estate/community like? What is my access/egress from the actual street?
- What prompted the call to the police? Did the person commit a crime? Is he behaving strangely or threateningly?
- Is there any indication of a mental health problem?
- What exactly did the caller say about a knife?

The answers to all these questions would certainly cause officers to begin using the NDM. **(Information, Intelligence; Assess Threat and Risk; and Develop a Working Strategy.)** I would also expect officers to be assessing their options and possible courses of action when they arrive at the scene. **(Powers and Policy; Options and Contingencies.)**

Upon arriving at the scene, I would expect the officers, if arriving alone and where possible, to initially try and stay at a distance so that they may observe the individual that they are potentially about to deal with. **(Information, Intelligence.)** This may simply mean stopping the vehicle on the other side of the road, giving the officers crucial time to assess the subject's impact factors and demeanour. **(Information, Intelligence; Assess Threat and Risk; Develop a Working Strategy.)** By creating distance and time, we create an opportunity for good observation, critical analysis of the situation, and a more accurate assessment of risk.

Gathering information and actively thinking of it in this way inherently begins the officer's assessment of place-specific impact factors, taking into consideration any other people around and the impact any action may have on their demeanour and any risk from that. **(Assess Threat and Risk; Develop a Working Strategy.)** This could affect whether additional officers or other resources are needed at the scene.

Even with distance and observation, the subject may see the police and begin to approach them. However, they would have the crucial extra seconds of time to assess his intentions and react. They might have the options of staying in the vehicle, or moving it. And they will have had more time to come up with a dynamic plan, even something as simple as, "I'll speak to him and be ready with my Taser; you flank him and be ready to intervene should I fail." **(Options and Contingencies.)**

So what happens when the officers alight from their vehicle and approach the subject? Say, for example, that he produces the knife and shouts, "Shoot me." **(Information and Intelligence).** I would expect the officers to be consciously working through their threat assessment, recognizing now that they might be faced with unpredictable behaviour and a barrier to communication. **(Assess Threat and Risk; Develop a Working Strategy.)** I would expect them to make distance immediately

and consider their tactical options, including distance tools such as Taser and CS Spray.

I would also expect tactical communications and negotiations to be paramount here, taking into account the mental health issues and suicide-by-cop scenario. Repeated commands and shouting are less likely to work with persons potentially suffering mental illness, so I would expect the officers to be ready with an intervention option if needed, e.g. the less-lethal option of Taser, or if there is time, even a dog patrol.

I would also expect the officers' communications and negotiations to begin immediately. This may involve speaking to the subject and avoiding loud commands, such as "DROP THE WEAPON." Every officer will have a different style of communication, and what works for one will not necessarily work for another. But they might start the communications on a low level, and it might include simple questions and statements, such as "Why do you have a knife?" and "We are here to help you." It would be the ideal for the officers to build rapport immediately.

This emphasis on making space and engaging in communication and negotiation is crucial. First and foremost, it may negate any use of force. It also gives the officers time to work through and select a proportionate tactical option should they need to act. Ultimately a use of force may be necessary to control the individual, but the officers will be more informed and would be able to provide a clear rationale. **(Assess Threat and Risk; Develop a Working Strategy; Powers and Policy; Options and Contingencies; Take Action.)**

There are many ways this situation could play out. Perhaps the officer or officers in this example would deploy CS spray, and immediately move away to re-assess and work through the NDM again. If the CS spray does not have the desired effect, an officer might decide to draw his baton to control the subject.

I think that ultimately, the initial process of creating space and negotiating is the main difference between what would be expected of a UK police officer and what we sometimes see in the U.S. However, this is not to say that immediate intervention is wrong; if the circumstances dictate, it may be necessary, such as an immediate threat to an individual's life.

The thing we emphasise the most with officers is that they "spin" the NDM as soon as they receive new info and intel, and start the process over, making fresh threat assessments and constantly considering different tactical options that they have to their disposal.

We also evaluate whether our responses are in accordance with the mnemonic "P.L.A.N.": This comes from the European Convention of Human Rights 1998 and is important as it currently serves as the "Reasonable Test" at court.

- **Proportionate:** How would a reasonable member of the public view the action that we took? Would they think that it was a reasonable response? Was it appropriate to the severity of the level of threat that was faced? What was the threat that the subject posed to the public?
- **Lawful:** Is there a lawful footing for being present in the first place? Is there a lawful reason for continued involvement? Is any use of force/tactical option backed up by common law powers or statute?
- **Accountable:** Where would the officers' rationale be recorded? Have they accounted for what they did, and have they also accounted for other options that may have been available that they chose not to use? Taser is generally our preferred tactical option when dealing with edged weapons. But another option might have been to wait and rendezvous with other officers. Were there any other specialist resources, such as a tactical dog unit?

Ultimately the scenario and actions of the subject will dictate what course of action is needed.

- **Necessary:** Was the use of force necessary in the first place, or could officers have done something else? Tactical withdrawal and communication are viewed as tactical options, and officers would always have to explain why these options were not used, or if the officers tried them, how and why they failed.

All of the above points have been raised in courts of law over the years, when cross-examination has occurred of an officer's use of force.

It is accepted that an officer will not always have the chance to work through this model as highlighted above. For example, in a spontaneous and unexpected attack at close quarters, it is accepted that officers will act instinctively and will not necessarily have any time to work through different options. But the officer would always have to articulate and rationalise his instinctive reaction after the incident about what he did.

Consider the question: Is an edged weapon a potential lethal weapon? Yes of course. However, this threat could be reduced when it is seen early and an officer has awareness of the potential threat, considering his/her tactical options, including communication, withdrawal, unarmed skills, CS spray, baton, and possibly Taser.

Having worked as a police officer and formerly as a prison officer, I have dealt with many incidents were I have been faced with a knife/edged weapon. I have used all of my tactical options at some point in different circumstances; personally I have never received an injury from a weapon, but I acknowledge that there have been circumstances were officers have been injured and tragically worse.

Ultimately the scenario dictates everything, but the NDM has helped me greatly, including prior to incidents, during them and post-incident when it is time to re-view what happened and articulate my actions, thought processes and rationale for what course of action I may have taken.

Appendix D: Disturbance Resolution Model

The Control Process: Disturbance Resolution Model

- The Control Process: Disturbance Resolution Model
  - Provides a structure for application of force
    - The "big picture" for officers to use in response to possible disturbance emergencies in which use of force might be necessary.
  - Justifies an officer's decisions
    - Provides a structural basis for explaining and justifying an officer's decision to respond, take action, and attain control.
  - Outlines an officer's responsibilities
    - Outlines the responsibilities an officer has once control has been established and a subject is in custody.

- Three Key Components of The Control Process
  - Approach Considerations
  - Intervention Options –Force Option Continuum
  - Follow-Through Considerations

- Force Option Continuum
  - A guideline which helps an officer analyze a subject's behavior and determine a reasonable level of force to use in response to that behavior. An officer can escalate quickly through the Continuum or skip steps if justified.

- Steps and Purposes – this structure helps officers determine and select the appropriate level of force to use in response to the perceived threat they are facing.
  - Presence – The presence of a law enforcement officer works to deter crime or diffuse a situation. It is a visible display of authority where no force is used and is considered the best way to resolve a situation.
  - Dialog
    - Search Talk - Officers may begin by speaking calmly and in a non-threatening manner to individuals they perceive are not a risk. (i.e. asking someone to provide their identification or registration)
    - Persuasion – Officers use a calm tone of voice to persuade the person to comply. (i.e. It is closing hours now and I have to ask you to leave, will you please follow me outside?)
    - Light Control Talk – Officers use a firmer tone of voice and increased volume to gain compliance. (i.e. You must leave the building at this time, you have two options, leave on your own or be escorted out by police.)
    - Heavy Control Talk – Officers use loud, clear and short commands to gain compliance. (i.e. "Stop" or "Don't Move")
  - Empty Hand Control – Officers use bodily force to gain control of a situation.
    - Soft techniques: grabs, holds, pressure points or take-downs to safely initiate physical contact
    - Hard techniques: punches and kicks to overcome active resistance
    - Chemicals: Pepper Spray to neutralize active resistance or the threat of active resistance.
  - Intermediate Weapon – Officers use these methods to temporarily incapacitate an individual in order to gain control.
    - Baton
    - Taser
  - Deadly Force – Used to stop the threat

Appendix E: Restorative Justice

Want to avoid going to court and having an arrest on your record?

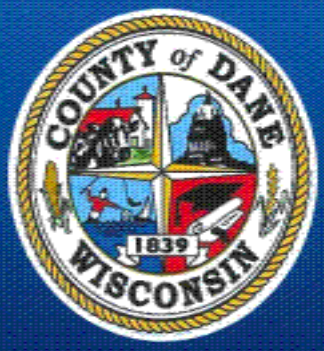
CALL :

YWCA Madison
Restorative Justice
395-2199

Leave a message 24 hours a day

Contact us within one week of scheduled court date

Restorative
Justice



Questions?

Restorative Justice Manager
Ali Treviño-Murphy
P: (608) 395-2167
ATrevino-Murphy@ywcamadison.org
www.DaneRestorativeJustice.org

YWCA Circles &
TimeBank Peer Court

Restorative Justice:
A Chance to Make it Right

Restorative Justice solves problems through understanding why it happened, who it impacted, and what needs to happen to make it right. We repair the harm, restore justice for all sides, and all agree on a plan to make changes for the future.

YWCA Madison:
Restorative Justice Circles

Trained youth and adult community members facilitate peacekeeping circles. In the circle, everyone has an equal voice, including the youth, the person harmed, and other community members. In the end, they use consensus decision-making to come to an agreement to repair the harm as a community.

Dane County TimeBank:
Peer Court

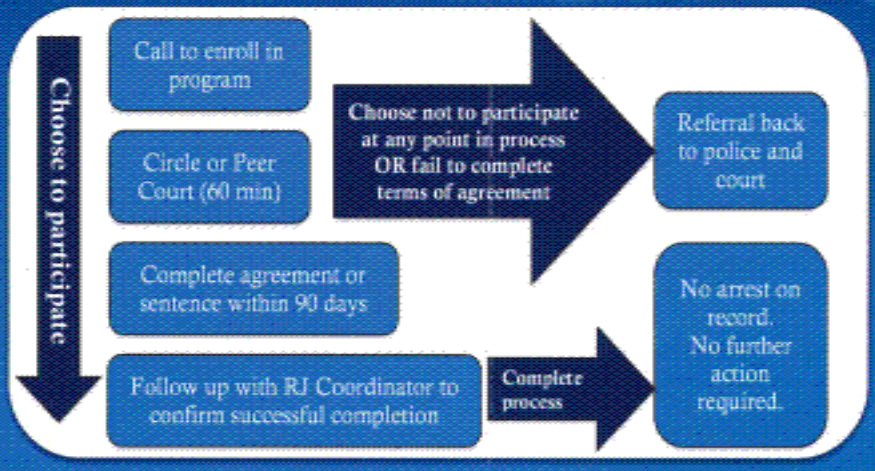
Trained youth peer jurors hear cases and issue restorative sentences, such as helping youth find a job and repair the harm that was caused. Sentences can include accessing resources through the Dane County TimeBank.

"Justice cannot be for one side alone, but must be for both."
–Eleanor Roosevelt

Restorative Justice is an alternative to municipal court for Madison youth ages 12-16.

To be eligible, participants must:

1) Desire to participate. The process must be voluntary for all participants.
2) Accept responsibility for their actions.
3) Follow through with an agreement to repair the harm.



Appendix F: IACP Oath of Office

Law Enforcement Oath of Honor

On my honor, I will never betray my badge, my integrity, my character or the public trust.
I will always have the courage to hold myself and others accountable for our actions.
I will always uphold the constitution, my community, and the agency I serve.

International Association of Chiefs of Police

Appendix G: Resources

All 50 US states fail to meet global police use of force standards
The Guardian June 18, 2015 Laughland/Lartey

A Model Act For Regulating the Use of Wearable Body Cameras by Law Enforcement,
ACLU

City Leaders Offer Details of Plan to Review Police Practices in Wake of Tony Robinson Shooting
The Wisconsin State Journal May 14, 2015 Mosiman

Cultural Competence A Training Guide For Law Enforcement Officers
Wisconsin DOJ Law Enforcement Standards Board 2011.

Cultural Competence
Madison Police Department Course Outline

Defense and Arrest Tactics A Training Guide For Law Enforcement Officers
Wisconsin DOJ Law Enforcement Standards Board 2014

Force Option Continuum
Wisconsin DOJ

Get Home Safely: 10 Rules of Survival if Stopped by the Police

How to Restore Trust in the Police
The Crime Report September 1, 2015 Milgram, Straub

IACP National Policy Summit on Community-Police Relations:
Advancing a Culture of Cohesion and Community Trust January 2015

Intervention Options
City of Waukesha WI Police Department Training handout

Know Your Right To Protest
The ACLU **http://www.aclu-il.org**

Mental Health Practitioner Workshop: Strategies to Improve Enhanced Cultural Competency
Skills Course Outline Meriter Foundation 2015

Moving Forward The Process of self-examination and Change Inside the Spokane Police Department
The Inlander January 29, 2015 Straub

NYPD Retraining Focuses on Talking Arrestees into Handcuffs
Associated Press May 6, 2015 Hays/Long

Police Reform must start somewhere. Let it be Here
St. Louis Post Dispatch May 22, 2015 Editorial Board

Police Use Of Force National Institute of Justice
April 13, 2015 **www.nij.gov**

President's Task Force on 21st Century Policing
www.cops.usdoj.gov/policingtaskforce

Protests Likely to Accelerate Retreat From Tough Police Tactics of the 1990's
The Washington Post May 2, 2015 McCartney/Lowery

Recruit Use of Force Training
Wisconsin DOJ

Reengineering Training on Police Use of Force
August 2015 PERF **www.policeforum.org/assets.reengineeringtraining1.pdf**

Rogue Cops Should Not be Recycled From One Police Department to the Next
The Guardian May 20, 2015 Goldman

The Control Process: Disturbance Resolution Model
Wisconsin DOJ

This is a somber Day for Omaha: City mourns a mother, mentor an officer killed in the line of duty
World Herald May 21, 2015 Conly/O'Brien/Skelton

To Stop Violence, Start at Home
New York Times Feb 3, 2015 Editorial Shifman/Tillet

William Bratton: Reconciling Cops and Civilians Requires Being Good to Each Other
Editorial The Washington Post January 23, 2015